

Panaji, 6th November, 2014 (Kartika 15, 1936)

SERIES II No. 32

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

**GOVERNMENT OF GOA****Department of Co-operation**

Office of the Registrar of Co-operative Societies

**Order**

No. 21-04-99-TS-HSG-CZ-RCS-Vol V/2294

Read: 1. Letter No. 1/46/Elec/Shallom VCH/  
/ARCS/166 dated 9-5-2014 from ARCS  
(CZ) Panaji.

In exercise of the powers conferred under Section 126 A of the Goa Co-op. Societies Act, 2001, Government is pleased to exempt the Shallom Co-op. Housing Societies Ltd., Dandi, Aggasaim-Goa from the provisions of Section 60 (3) (b) of the Goa Co-op. Societies Act, 2001 for appointing the members of the society on the Board of Directors for the term 2014 to 2019.

By order and in the name of the Governor  
of Goa.

*J. B. Bhingui*, Registrar & ex officio Joint  
Secretary (Co-op. Societies).

Panaji, 9th October, 2014.

**Department of Education, Art & Culture**

Directorate of Education

**Order**

No. Acad/MGT/5/BCH/98/2838

Whereas, the Government vide order No. Acad/  
/MGT/5/BCH/98/3210 dated 13-12-2007 had  
taken over the Management of Shri Vijayanand  
Dnyaprasarak Sauntha running three schools,  
(1) Vijayanand High School, Mayem (2) Vijayanand  
Dnyanprasarak Sauntha's Higher Secondary  
School, Mayem and (3) Shri Mahamaya High  
School, Ardhawada, Mayem for initial period of 3  
years by invoking the provisions of sub-section (1)  
of Section 20 of Goa School Education Act, 1984.

And whereas, as the matter was pending before  
Hon'ble High Court, Bombay at Goa, Government  
has decided to continue the Management of the  
said three (3) Schools with the Government for one  
year each vide Order No. ACAD/MGT/5/BCH/98/  
/182 dated 20-01-2011, No. ACAD/MGT/5/BCH/98/  
/178 dated 31-01-2012, No. ACAD/MGT/5/BCH/98/  
/4259 dated 31-12-2012 Acad/MGT/5/BCH/98/1084  
dated 22-4-2013 (six months) No. ACAD/MGT/  
/5/BCH/98/51 dated 03-01-2014.

And whereas, Hon'ble High Court of Bombay at  
Goa, while disposing the Writ Petition No. 635 of  
2007 passed the order and directed to hold Election  
of the Governing Council of Shri Vijayanand  
Dnyanprasarak Sauntha, Thikhazen, Mayem.  
Under the leadership of Shri G. P. Bhat, election  
has been hold for Governing Council. The  
Governing Council Registered their Society under  
the Societies Registration Act, 1860. The Inspector  
General of Societies, District Registrar (North Goa)  
allotted Registered No. 430/GOA/2014 to Shri  
Vijayanand Dnyanprasarak Sauntha, Thikhazen,  
Mayem.

And whereas, the Chairman of Shri Vijayanand  
Dnyanprasarak Sauntha, Thikhazen, Mayem, made  
a request to the Department to handover the said  
three Schools back to the Management vide letter  
No. SVDS/05-2014 dated 7-08-2014 along with a  
copy of Registration.

And whereas, the request of the Chairman has  
been considered to handover the Management of  
three Schools to the new committee.

And whereas, now the Government handover  
three Schools (1) Vijayanand High School, Mayem  
(2) Vijayanand Dnyanprasarak Sauntha's Higher  
Secondary School, Mayem and (3) Shri Mahamaya  
High School, Ardhawada, Mayem to the said Society  
to manage the affairs of the said three schools. The  
said society shall take steps to constitute the  
School Managing Committee strictly in terms of  
the Rule 46 of the Goa School Education Rules,

1986 and School Managing Committees shall be submitted to the Director of Education for approval, within two months.

Now, therefore, the Management of the three schools has been handover to the New Governing Council of Shri Vijayanand Dnyanprasarak Sauntha's, Thikhazen, Mayem.

By order and in the name of the Governor of Goa.

*Gajanan P. Bhat*, Director (Education).

Porvorim, 14th October, 2014.



### Goa Human Rights Commission

Proceeding No. 29/2012/1104

1. Shri Raya V. Karapurkar
2. Smt. Sushma V. Karapurkar  
Both r/o H. No. 46,  
Karaswada,  
Mapusa-Goa

..... Complainants

V/s

1. The Chief Secretary,  
Government of Goa,  
Secretariat, Porvorim
2. The Secretary,  
Town and Country Planning,  
Government of Goa,  
Secretariat, Porvorim
3. Shri S.T. Puttaraju,  
Chief Town Planner,  
Town and Country  
Planning Department (H.Q.),  
Dempo Towers (2nd flr.),  
Patto Plaza, Panaji-Goa
4. Shri Siddappa M. Byakod  
Senior Town Planner (North),  
Town and Country Planning  
Department, Govt. Bldg.,  
Complex (3rd floor)  
Mapusa-Goa

..... Respondents

#### ORDER

The Complainant No. 1 is working as L.D.C in the Office of the Town and Country Planning Department. The Complainant No. 2 is the mother of Complainant No. 1.

2. The basic allegation of the Complainants is relating to non-payment of Subsistence Allowance to the Complainant No. 1. Since there is no dispute relating to the factual matrix, the Commission

did not find it necessary to formally record any evidence and this recommendation has been made on the basis of undisputed materials on record.

3. The Complainant No. 1 was placed under Suspension by Order dated 09-02-2012 passed by the Chief Town Planner/Ex Officio, Jt. Secretary, Government of Goa (Respondent No. 3). On 07-03-2012, the Complainant No. 1 made representation to the Senior Town Planner (North) (Respondent No. 4) who was the Drawing & Disbursing Officer requesting for payment of his salary and Subsistence Allowances payable for the month of February, 2012. In such letter he also requested that he should be paid his monthly Subsistence Allowance on timely basis. Since no amount was paid, Complainant No. 2, mother of Complainant No. 1 made further representation to the Secretary, Town and Country Planning (Respondent No. 2) requesting him to issue necessary direction to the Chief Town Planner for payment of Subsistence Allowance. Subsequently, the Respondent No. 4 passed an Order sanctioning payment of Subsistence Allowance by Order dated 04-05-2012 directing payment of Subsistence Allowance for the first three months. Thereafter, no further Subsistence Allowance for the month of May, 2012 was paid and the Complainant No.1 again made further representation which was received in the Office of the Town and Country Planning on 07-06-2012. In the said representation, the Complainant No. 1 had indicated that the Subsistence Allowance for the month of May has not been paid. Subsequently a legal notice was issued to the Respondent No. 3 and Respondent No. 4 claiming that Subsistence Allowance should be paid regularly along with compensation of Rs. 30,000/- (Rupees thirty thousand only). Thereafter, the present proceeding has been initiated on the basis of the complaint dated 20-07-2012.

4. Notice was issued by this Commission to the State Government through the (1) Chief Secretary, (2) The Secretary, Town and Country Planning, Government of Goa, (3) The Chief Town Planner and (4) Senior Town Planner (North) as per Order dated 23-07-2012. A reply dated 20-02-2013 signed by Respondent No. 3 has been filed purporting to be on behalf of Respondent No. 1 to 3 and a separate reply was filed by Respondent No. 4 on the same day. In both the replies, technical objection relating to maintainability of the complaint and the jurisdiction of the Commission to deal with the matter has been raised. In the reply of Respondent No. 1 to 3, it is indicated that

the Complainant No. 1 was placed under suspension vide Order dated 09-02-2012. Thereafter the Complainant preferred an appeal before the Secretary, Town and Country Planning challenging the Order of Suspension and the Secretary, Town and Country Planning had referred the matter to the Vigilance Department for vetting the charge sheet. It is also stated that vide Order dated 04-05-2012, the Head of Department had passed an Order for payment of Subsistence Allowance for the first three months which had been paid to the Complainant No. 1. Thereafter, first Review Meeting was held by the Committee on 14-08-2012 and it was decided to increase the Subsistence Allowance to 75% and thereafter Order was passed on 12-09-2012 regarding enhancement of Subsistence Allowance to 75%. It is stated that "time was consumed due to administrative procedure, consultation with the Vigilance Department and vetting charge-sheet, etc." In para-9 of the reply it is stated "This Respondent further states that the Complainant and his family are the recipients of family pensions by virtue of the death of complainant's father who was an employee of Town & Country Planning Department. Respondents states that no orders are issued for stopping pension benefits. And hence Complainant and his mother are receiving family pension regularly". In para 10 it is stated "These Respondents states that no orders have been issued to stop withdrawal from Complainant's GPF balance/Account. Hence there was every opportunity for the Complainant to make use of the funds from the GPF in the event of any such requirement. There is no such request for withdrawal of GPF which are pending with this Department." In the said reply it is further indicated that 2nd Review Meeting was held on 7-11-2012 and it was decided to continue the Subsistence Allowance and maintain the Subsistence Allowance of 75% and subsequently the suspension has been further extended till 31-03-2013 as per meeting dated 05-02-2013. Respondent No. 4 while adopting the said objection raised by Respondent 1, 2 and 3 has annexed a document indicating about the details of payment made by the North Goa District Office of the Complainant No. 1. This Annexure indicates as follows:

- i) 8 days salary from 01-02-2012 to 08-02-2012 was paid on 11-05-2012.
- ii) The Subsistence Allowance from 09-02-2012 to 29-02-2012 @ 50% was paid on 14-05-2012.

- iii) Subsistence Allowance for the months of March and April, 2012 @ 50% was paid on 14-05-2012.
- iv) Subsistence Allowance from 01-05-2012 to 08-05-2012 was paid on 11-06-2012.
- v) Subsistence Allowance for 23 days for the month of May and for months of June, July and 8 days in the month of August were paid on 28-09-2012.
- vi) Subsistence Allowance for 23 days of the month of August, 2012 and for the months of September, October and November, 2012 was paid on 22-11-2012.
- vii) Subsistence Allowance for the month of December, 2012 was paid on 14-12-2012.

From this document filed by Respondent No. 4, it is apparent that there had been delay in payment of Subsistence Allowance for the months of February, 2012 till October, 2012.

5. Though nothing specific had been indicated relating to maintainability and jurisdiction in the reply of Respondent No. 1 to 3 and reply of Respondent No. 4, the Learned Advocate Shri V. Sardesai appearing for all the Respondents has submitted that non-payment of Subsistence Allowance during the period of suspension does not amount to violation of human rights of the Complainant No. 1 and therefore this Commission has no jurisdiction to entertain such complaint of the Complainants. He has also placed reliance upon guidelines issued by the National Human Rights Commission and contended that a dispute relating to service matter cannot be raised before this Commission. Para-10 of the guidelines issued by NHRC to the extent relevant is extracted hereunder:-

10. Following types of Complaint(s) are not ordinarily entertainable:  
.....vii. The issue raised relates to service matters;

6. As far as the submission based on the guidelines issued by the National Human Rights Commission is concerned it is obvious that the guidelines issued by the National Human Rights Commission are applicable to the National Human Rights Commission itself and by no stretch of imagination it can be concluded that Human Rights Commission established by any State is ipso facto bound by such guidelines. Under the Protection of Human Rights Act, 1993, the State Commission is empowered to frame its own regulation relating to the procedure to be adopted

by such State Commission. The Human Rights Commission of every State is an independent statutory authority which does not derive any powers from the National Human Rights Commission. Therefore, reliance placed on the guidelines issued by the National Human Rights Commission is entirely misconceived. Even otherwise, the guideline issued by the National Human Rights Commission, indicates that issue relating to service matter is not “ordinarily entertainable” and no absolute bar is contemplated. It is also necessary to indicate herein that Goa Human Rights Commission has framed its own regulations. In Regulation 9 of such Regulation it has been indicated that the Commission “may not entertain” complaints which relates to service matters. It cannot be said that any absolute embargo has been envisaged in Goa Human Rights Commission (Procedure) Regulation, 2011 to entertain matters relating to service matters. Moreover, in the present proceeding we are not dealing with service matters. We have not all considered the issue relating to legality or the justifiability of the order of suspension and of continuance thereof for about a period of one year or so. We are not even considering the question of rate at which the Complainant is entitled to receive the Subsistence Allowance. It is nobody’s contention that the Complainant while under suspension was not entitled to payment of Subsistence Allowances. There is no discretion left to any authority to withhold the payment of Subsistence Allowance though the rate at which such Subsistence Allowance has to be paid may be a matter for decision of the appropriate authority. The only question for consideration in this proceeding before the Commission is about the delay in non-payment of Subsistence Allowance admittedly payable to the Complainant No. 1.

7. The Learned Advocate Shri V. Sardesai for the Respondents has also contended with much vehemence but less conviction that non-payment of Subsistence Allowance or delay in payment of Subsistence Allowance does not violate any human rights of an employee and therefore this Commission does not have jurisdiction to probe into such matter.

8. Section 2 (1) (d) of the Protection of Human Rights Act, 1993 defines “human rights” means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution.....” It has been repeatedly held by the Supreme Court of India that the payment of salary or payment of Subsistence Allowance

during the period of suspension or payment of pension of the retired employee is not a bounty of the Employer but it is a right of the Employee. In AIR 1973, Supreme Court 1183, it has been observed by the Supreme Court that non-payment of Subsistence Allowance to a suspended employee amounts to violation of rights under Article 311(2). In AIR 1983, Supreme Court 803 the second proviso to Rule 151(i) (ii) of the Bombay Civil Service Rules, 1959 which provided for payment of R. 1/- as Suspension Allowance to a convicted employee was held to be illusory and void being violative of Articles 16, 19 and 21 of the Constitution of India.

9. It is well settled that Article-21 of the Constitution of India ensures that the natural right of every person to live with full human dignity. The expression “Subsistence Allowance” itself indicates that such allowance is required to be paid so that the concerned employee even though under suspension, would survive. In such a scenario, it is indeed very callous on the part of Respondent No. 1 to 3 to indicate in the reply that the Complainants were in receipt of regular pension payable on account of death of the father of the Complainant No. 1 and similarly the Complainant could have withdrawn funds from the G. P. F. in the event of requirement. As a benevolent and fair employer, the State Government is not expected to take such a stand.

9. In view of the above discussion, we have no doubt of what-so-ever in our mind that the non-payment or delayed payment of Subsistence Allowance for a considerable period had violated the human rights of the Complainant No. 1. It is obvious that apart from having financial hardships, the Complainants must have undergone great mental harassment and agony on account of non-payment of Subsistence Allowance in time for which the Complainants had to make repeated representations to the Respondent No. 3 and 4 including issuance of legal notice. The delay in payment resulted in loss of income for the time being. The Complainant had to suffer unnecessary mental agony. This Commission therefore recommends to the Respondent No. 1 to pay a sum of Rs. 1,500/- (Rupees one thousand five hundred only) as compensation to the Complainant No. 1. This compensation should be paid within the period of one month from the date of receipt of present recommendation by Respondent No. 1. It is made clear that it would be open to the Respondent No. 1 to recover such amount from the defaulting officials belonging to



the Department of Town and Country Planning by initiating appropriate proceedings against such errant Officers.

Dated: 04-06-2013,  
Place: Panaji-Goa.

*Sd/-*  
(Justice P. K. Mishra)  
Chairperson

*Sd/-*  
(A.D. Salkar)  
Member

*Sd/-*  
(J.A. Keny)  
Member

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**Department of Home**

Home—General Division

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**Order**

No. 9/15/87-HD (G)/PF/3306

- Read: 1) Notification No. 9/15/87-HD (G) dated 1-12-2000.  
2) Order No. 9/15/87-HD (G) dated 28-09-2007.  
3) Order No. 9/15/87-HD (G) dated 24-04-2012.  
4) Order No. 9/15/87-HD (G) dated 25-03-2013.

In exercise of the power conferred by Rule 376 of the Goa Prison Rules, 2006, Government of Goa is pleased to constitute Board of Visitors for the Sub-Jail-cum-Judicial Lock-up Sada, Vasco as follows:

(1) Non-official visitors in terms of Rule 378 shall be as follows:-

Sr. No.	Name of the Non-Official visitors
1	2
1. Mrs. Jennifer Monserrate	— (Women representative) MLA, Taleigao.
2. Mr. Naresh Sawal	— MLA, Bicholim.
3. Mr. Nilesh Cabral	— MLA, Curchorem.
4. Mrs. Vidya Shet Tanavade	— Chairperson of Women Commission.
5. Ms. Neena Rajendra Naik	— (Social Worker).
6. Ms. Devbala D. Bhise	— (Social Worker).

1 2  
(2) The ex officio visitors as per Rule 377 of the Goa Prison Rules, 2006 are as follows:

1. District & Session — Chairman.  
Judge, South Goa
2. District Magistrate, South Goa, Margao.
3. Director General of Police, Panaji.
4. Superintendent of Police (South), Margao.
5. Chief Engineer, Public Works Department, Altinho, Panaji.
6. Director of Industries, Panaji.
7. Director of Agriculture, Panaji.
8. Director of Animal Husbandry & Veterinary Services, Panaji.
9. Director of Education, Panaji.
10. Director of Social Welfare, Panaji.
11. Director of Institute of Psychiatric & Human Behaviour, Bambolim.
12. Director of Health Services, Panaji.

(3) In terms of Rule 379(3) of the Goa Prison Rules, the tenure of non-official visitors shall ordinarily be two years and of the Members of Goa State Legislative Assembly shall be one year or till the member ceases to be a member of Goa State Legislative Assembly, whichever is earlier.

(4) The above order will be effected from the date of issue.

By order and in the name of the Governor of Goa.

*Neetal P. Amonkar*, Under Secretary (Home).  
Porvorim, 16th October, 2014.

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**Department of Industries**

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**Order**

No. 3/26/2014-IND (Part)

Read: Notification No. 3/26/2014-IND (Part) dated 01-10-2014.

In pursuance to the Notification read in the preamble, the Government of Goa hereby constitutes a Committee for selection of the Chief Executive Officer of the Goa Investment Promotion and Facilitation Board consisting of the following, namely:-

- 1) Secretary (Industries) — Chairperson.
- 2) President, Goa Chamber of Commerce & Industry — Member.

3) President, CII, Goa Council — Member.

4) President, GSIA — Member.  
(Goa Small Industries Association)

By order and in the name of the Governor of Goa.

*Shashank V. Thakur*, Under Secretary (Industries).

Porvorim, 9th October, 2014.



### Department of Labour

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#### Order

No. 24/32/2008-Lab/592

The Government is pleased to order the transfer and posting of the following Deputy Labour Commissioner in the Office of the Commissioner, Labour and Employment as under with immediate effect:

Sr. No.	Name of the Official	Present posting	Posting on transfer
1	2	3	4
1.	Smt. Asha N. Khaunte	Margao	Panaji.

The above transfer is made in public interest.

She should report to the new place of posting immediately.

By order and in the name of the Governor of Goa.

*Shashank V. Thakur*, Under Secretary (Labour).

Porvorim, 13th October, 2014.

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#### Notification

No. 28/1/2014-Lab/507

The following award passed by the Industrial Tribunal and Labour Court at Panaji-Goa on 13-05-2014 in reference No. IT/28/03 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

*Shashank V. Thakur*, Under Secretary (Labour).

Porvorim, 9th September, 2014.

IN THE INDUSTRIAL TRIBUNAL AND  
LABOUR COURT  
GOVERNMENT OF GOA  
AT PANAJI

(Before **Ms. Bimba K. Thaly**, Presiding Officer)

Ref. No. IT/28/03

Smt. Padmaja P. Gaonkar,  
Vetal Wada, Camurlim,  
Bardez, Goa

..... Workman/Party I

V/s

M/s. Mustifund Saunstha,  
Near Mahalaxmi Temple,  
Dr. Dada Vaidhya Road,  
Panaji-Goa

..... Employer/Party II

Party I/Workman represented by Adv. Ms. Sushma Mandrekar under LSA.

Party II/Employer represented by Adv. Shri S. Chodankar.

#### AWARD

(Passed on 13th day of May, 2014)

In exercise of powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), (for short 'The Act') the Government of Goa by order dated 7-5-03 bearing No. 28/51/2002-LAB/1221, has referred the following dispute for adjudication.

"(1) Whether Smt. Padmaja P. Gaonkar, Instructor, employed with M/s. Mustifund Saunstha, Panaji-Goa, is a "workman" within the meaning of Clause (s) of Section 2 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) ?

(2) If the reply to the above issue is in the affirmative then whether the action of the management of M/s. Mustifund Saunstha, Panaji in terminating services of Smt. Padmaja P. Gaonkar, Instructor, with effect from 01-02-2002, is legal and justified?

(3) If the answer to (2) above is in the negative, then, to what relief the workperson is entitled?"

2. Upon receipt of the dispute, reference, IT/28/03 was registered. Notices were issued to both the parties under registered A/D post upon which both the parties were served. Party I filed the statement of claim at Exb. 5. Party II filed the written statement at Exb. 6.

3. It is in short the case of Party I that she was appointed as teacher of cutting, stitching and embroidery by Party II on a consolidated monthly salary of Rs. 2500/-, by letter dated 7-12-99 pursuant to her application dated 2-12-99. It is stated that Party I has passed SSCE and is holding diploma in cutting, stitching and embroidery from International Training Institute, Mapusa and her duty hours were from 9.00 a.m. to 6.00 p.m. It is stated that all of a sudden by letter dated 1-2-2001 the principle of Party II gave her a break in service though the batches of the students in this category were continuing. It is stated that this act of Party II amounts to illegal termination of her services. It is stated that soon thereafter fresh batches of student in cutting, stitching and embroidery were taken by the Party II. It is stated that Party I by letter dated February 2001 and dated 1-3-2002 immediately requested Party II to reinstate her but by letter dated 24-3-01 Party II informed that it will not be possible to resume her services. It is stated that as such Party I raised dispute before the Labour Commissioner but the conciliation proceedings ended in failure. It is stated that Party II did not issue any notice before illegal termination of her services and as such the act of Party II is in violation of Section 25F of the I.D. Act. Party I has therefore prayed to direct Party II to reinstate her back in service with full back wages and continuity of service.

4. In the written statement, Party II has denied the case of Party I and has raised the preliminary objection to the effect that Party II is not an industry as contemplated in Section 2(j) of the Act, that; that Party I is not a workman as contemplated in Section 2(s) of the; Act and therefore the present reference is bad in law and is null and void. It is further the case of Party II that Party I did not posses the required qualification and as such was given a break in service by informing that her appointment would be considered subject to fulfilling the employment conditions. It is the case of Party II that by letter dated 11-2-99 Party I requested Party II to reconsider a fresh appointment in service which was considered by Party II and fresh appointment was offered to Party I by appointment letter dated 11-2-2000 as a part time teacher on a consolidated salary of Rs.2000/- per month for teaching, cutting and stitching. It is stated that the services of Party I were temporary in nature and were restricted during the pendency of the course of cutting and tailoring subject to availability of students for the above post. It is stated that Party I failed to submit qualification certificate from a recognized institution till 1-2-2001. It is stated that termination

of service of an part time teacher cannot be a subject matter of an industrial dispute. It is stated that Party I was given break in service as the course for which Party I was engaged concluded in January 2001 and there was no further enrolment of students for that particular course. It is stated that Party I was asked to co-ordinate with Party II in the month of June, 2001 as her services would have been reconsidered in the event such courses were started by Party II but Party I did not approach Party II in June 2001 or thereafter. It is stated that legal dues of Party I have been offered to Party I consequent to her break in service. It is stated that in the letter dated 24-3-01 Party II has clearly intimated to Party I that her appointment was for a part time teacher. It is therefore the contention of Party I that termination of service of Party I is legal and justified and is in accordance with the terms of appointment.

5. On the basis of the averments of the respective parties issues dated 8-1-04 at Exb. 7 were framed.

6. In the course of evidence Party I examined herself whereas Party II examined Shri Suhas Sardesai and Smt. Carmelina J. Mascarenhas as their witnesses.

7. Ld. advocate for Party I filed written submissions whereas ld. advocate for Party II advanced oral arguments.

8. I have gone through the records of the case and have duly considered the written submissions filed by both the parties.

9. I am reproducing herewith the issues along with their findings and reasons thereof:

Sr. No.	Issues	Findings
1	2	3
1.	Whether the Party I proves that she is a "workman" within the meaning of Section 2(s) of the Industrial Disputes Act, 1947?	In the positive.
2.	Whether the Party I proves that termination of her services by the Party II is in violation of Section 25F of the I.D. Act, 1947?	In the negative.
3.	Whether the Party I proves that the termination of her services by Party II w. e. f. 1-2-2002 is illegal and unjustified?	In the negative.

1	2	3
4. Whether the Party II proves that it is not an “industry” as defined under Sec. 2(j) of the I.D. Act, 1947?		In the negative.
5. Whether the Party II proves that the termination of service of the Party I is not an Industrial Dispute?		In the negative.
6. Whether Party I is entitled? any relief		In the to negative.
7. What Award?		As per Award below.

## REASONS

10. *Issue No. 1:* Party I has filed the present reference under the Act which is apparently on the premise that she is a workman u/s 2(s) of the Act. In defence Party II has categorically stated that Party I is not a workman as contemplated in Sec.2(s) of the Act. There is otherwise no dispute that burden to prove that she is a workman u/s 2(s) of the Act is on Party I. In the written submissions filed by Party I it is her contention that she was appointed as a teacher of cutting, stitching and embroidery on a consolidated monthly salary of Rs. 2500/- pursuant to her application dated 2-12-99 vide letter dated 7-12-99 and in view of this she is a workman as defined in Sec. 2(s) of the Act.

11. Nonetheless, in his arguments Id. advocate for Party II by inviting my attention to the appointment letter of Party I which is dated 7-12-99 (Exb. W-1), letter dated 1-2-2001 (Exb.W-6) giving break in service by Party II to Party I, letter dated 23-4-01 (Exb.W-7) which is in reply to Party I's letter dated 1-3-01 to Party II, letter dated 11-2-00 (Exb.E-2) which is fresh appointment letter by Party II to Party I stated that in these documents the status of Party I is mentioned as “teacher” this is not disputed by Party I. He then invited my attention to the judgment in the case of **Miss A. Sundarambal v/s Government of Goa, Daman & Diu AIR 1988 SC 1700** and contented that in terms of observations in this judgment a teacher employed in a school does not fall within the expression “workman” though the school is an industry. He then relied on the judgment in the case of **Amar Jyoti School v/s Government of National Capital Territory of Delhi 2009 (122) FLR 354** contenting that teacher employed in an educational institution is not a workman. He further relied on the judgment in the case of **Bhavnapur Nagar**

**Palika v/s Presiding Officer, Labour Court, Rajkot 1995 Lab I.C. 1308** and contended that teacher employed in a school cannot be termed as workman even though school is an industry. Thus, it is the contention of Ld. Advocate for Party II that Party I is not a workman u/s 2 (s) of the Act and therefore this court has no jurisdiction to decide this reference.

12. It may be mentioned here that in the judgment in the case of **Miss A. Sundarambal (supra)** the appellant was appointed as a teacher in a school conducted by the society of Franciscan Sisters of Mary at Caranzalem, Goa. While holding that she was not a workman as contemplated u/s 2(s) of the Act it is observed that imparting of education which is the main function of teachers cannot be considered as skilled and unskilled manual work or supervisory work or technical work or clerical work. It is observed that imparting of education is in the nature of a mission or a noble vocation. It is also observed that a teacher educates children, moulds their character, builds up their personality and makes them fit to become responsible citizens. Thus in such situation it is held that appellant therein is not a workman u/s 2(s) of the Act.

13. In the judgment in the case of **Amar Jyoti (supra)** the respondent therein was working as a physical education teacher with the petitioner/ school and by relying upon the observations in the judgment in the case of **A. Sundarambal (supra)** it is held that the respondent could not be said to be a workman u/s 2(s) of the Act.

14. In the judgment in the case of **Bhavnapur (supra)** the respondents therein were primary teachers of the school run by the Municipality and here again by relying on the judgment in the case of **A. Sundarambal (supra)** it is held that teacher employed in a school is not a workman u/s 2(s) of the Act.

15. The term workman is defined u/s 2(s) of the Act and the relevant extract of it reads as under:

*“‘workman’ means any person (including an apprentice) employed in any industry to do any manual, unskilled, skilled, technical, operational, clerical or supervisory work for hire or reward, whether the terms of employment be express or implied, and for the purposes of any proceeding under this Act in relation to a industrial dispute, includes any such person who has been dismissed...”*

16. As pointed by me above, Party I herein was employed as teacher for cutting, stitching and embroidery and not to impart primary or secondary



education to the students like in the cases of **A. Sundarambal and Bhavnapur (both cited supra)**. It appears from the observations in the judgment in the case of **A. Sundarambal (supra)** that the appellant therein was imparting education and therefore the said work performed by her was not skilled or unskilled manual work or supervisory work or technical work or clerical work. Also in the case of **Bhavnapur (supra)** the respondents therein were employed as primary teachers of the school run by the Municipality and therefore apparently they cannot be called as doing the skilled work. Similar is the case in the judgment in the case of **Amar Jyoti (supra)** in which case the respondent was physical education teacher and which job does not require any skill.

17. Nevertheless, in the instant case as Party I was initially employed as teacher of cutting, stitching and embroidery and as this work obviously requires skill, the observations in the aforesaid judgments could be easily distinguished to say that Party I herein comes within the purview of the definition of Sec. 2(s) of the Act and hence is a 'workman'. Therefore, I answer this issue in the positive.

18. Issue Nos. 4 & 5 are answered before answering issue Nos. 2 and 3, they being jurisdictional issues.

19. *Issue No. 4:* In her written arguments Id. advocate for Party I has mentioned that as Party I was appointed as teacher of cutting, stitching and embroidery, Party II is an industry. On the other hand it is the argument of Id. advocate for Party II that since Party I is not a workman, Party II is not covered under the definition of Section 2(j) of the Act and therefore it is not any industry.

20. The term 'industry' as defined under Sec. 2 (j) of the Act has been explained by the Hon'ble Apex court in the judgment in the case of **Bangalore Water Supply and Sewerage Board, Etc. v/s A. Rajappa and others (1978) 2 SCC 213**. It is observed in this judgment that the three tests to find out if the institution is an industry are to see (a) if the institution is engaged in a systematic activity (b) if it is organized by co-operation between employer and employee and (c) if it is engaged in the production of goods and services. By applying these tests, it is observed in this judgment that educational institutions cannot be exempted from the scope of Section 2(j) of the Act. Undoubtedly, in the instant case Party II is an educational institution and therefore in terms of the observations in the above referred judgment, it is an industry. Be that as it may, even in the judgments

relied upon by Id. advocate for Party II itself i.e. in the cases of **A. Sundarambal and Bhavnapur (both cited supra)** it is held that the school is an industry. Hence this issue is answered in the negative.

21. *Issue No. 5:* Section 2(k) of the Act defines 'industrial dispute' means any dispute or difference between employers and employers, or between employers and workmen, or between workmen and workmen, which is connected with the employment or non employment or the terms of employment or with the conditions of labour, of any person. Since discussion above makes it clear that Party I is a workman and Party II is the employer, the dispute raised by Party I which is connected with her employment or non employment, is apparently an industrial dispute u/s 2(k) of the Act. Hence my findings.

22. *Issue Nos. 2 & 3:* Both these issues are answered together for the sake of convenience as they are interlinked.

23. Party I has stated in her affidavit in evidence that by letter dated 7-12-99 issued by the Secretary of Party II she was appointed as a teacher of cutting, stitching and embroidery on a consolidated monthly salary of Rs. 2500/-. She has produced the copy of the said appointment letter dated 7-12-99 at Exb. W-1. She has stated that she has passed SSCE and is also holding a diploma in cutting, stitching and embroidery from International Training Institute, Mapusa and after getting satisfied of her qualifications and efficiency she was appointed as such. Party I has produced the certificate issued by Goa, Daman & Diu, Board of Secondary and Higher Secondary Education, Panaji regarding passing of SSCE at Exb. W-2. She has also produced the certificate issued by International Tailors, Mapusa, Goa certifying that she has received training for one year from 14-5-87 to 30-3-88 at Exb. W-3. She has stated that her maiden name was Zelum Govekar and has produced the copy of her birth certificate as well as marriage certificate at Exb. W-4 and W-5 respectively precisely because these certificates show her name as Jhelam Govekar.

24. In her cross examination she has stated that at the time of issuing the appointment order she was informed by Party II to bring a certificate stating that she has done course in embroidery and fashion designing and pursuant to which she produced a certificate which is at Exb. W-3. She has however admitted that it is not mentioned on Exb. W-3 that she has completed the course in embroidery and fashion designing. She has also admitted that she was told by Party II that the

certificate stating that she has completed the course in embroidery and fashion designing was necessary for working as a teacher. She has further stated in her cross examination that she was told by Party II that she would have to teach the existing batch embroidery and fashion designing.

25. From the nature of above evidence of Party I it can be safely gathered that though Party I has passed SSCE, she did not possess requisite qualifications of completion of course in embroidery and fashion designing which according to Party I herself, was told as necessary for working as a teacher. Undoubtedly, Party I was given break in service from 1-2-2001 vide letter dated 1-2-2001 at Exb.W-6.

26. Ld. Advocate for Party II relied on the judgment in the case of **Mohd. Sartaj and another v/s State of U.P. and others 2006 1 CLR 864** the ratio in which indicates that when a person does not possess basic training certificate or minimum eligibility prescribed, his appointment could be cancelled without prior notice. In the case in hand as pointed out above, Party I has categorically admitted that the certificate at Exb. W-3 which she had produced before Party II did not state that she had done course in embroidery and fashion designing. This being the case, it is clear that Party II did not possess required certificate for getting appointed as teacher of cutting, stitching and embroidery and therefore break in service given to her by Party II vide letter at Exb. W-6 without prior notice, cannot otherwise also be termed as illegal.

27. Perusal of letter dated 1-2-01 Exb.W-6 reveals that such break in service for teaching tailoring course was given to Party I from 1-2-2001 as the course was over and it was also informed to Party I by this letter that she would be called back when Party II would shift to new premises and when she would be needed in June. Even otherwise, in her cross examination Party I has admitted that she was told by Party II that fresh batches will be held in the month of June and that she should report for work for conducting fresh batches. It may be mentioned that in her affidavit in evidence Party I has stated that the above act of Party II amounts to illegal termination of her services. Party I has stated that by letter dated February 2001 and 1-3-2001 she requested Party II to reinstate her but Party II by letter dated 24-3-01 informed her that it was not possible to resume her back in services. It is pertinent to note that Party I has not produced the copies of letters dated February, 2001 and dated 1-3-2001 though she has produced at Exb. W-7 the

letter dated 24-3-01 which is sent to her by Party II in reply to her letter dated 1-3-2001. Perusal of Exb. W-7 reveals that Party II has informed Party I that she was appointed as a part time teacher for three days a week and was given break when the course for her batch was over. It is also stated in this letter that Party I was required to give notes and drafting and to shift to matric system from F. P. S. System or to get in writing from students so that they should not complain but she had not produced the said letter. Amongst above and other reasons Party II informed Party I by this letter that it was not possible to resume her services immediately.

28. In her cross examination Party I has admitted that she did not send any reply to Exb. W-7. It is therefore clear that Party I admitted the contents of Exb.W-7 as otherwise she would have sent reply to it by denying its contents.

29. Be that as it may, in her cross examination Party I was shown a letter dated 11-2-2000 and Party I has admitted that she had sent this letter to the Principal of Party II. The same is marked as Exb. E-1. She has admitted that she was issued another appointment letter by Party II which is dated 11-2-2000 and the same is produced at Exb. E-2. Perusal of Exb.E-1 reveals that by this letter Party I had informed Party II that her appointment letter was lost and she requested Party II to issue a new appointment letter. Reading of this letter does not give any indication as to what was the date of the said appointment letter which was lost by Party I. However, vide Exb.E-2 Party II issued to Party I the appointment letter as part time teacher on a consolidated salary of Rs. 2000/- for cutting and tailoring. This letter also stated that Party I would have to work on alternate days of the week i.e. Monday, Wednesday and Friday from 9:00 a.m. to 5:30 p.m. with break of 1:00 p.m to 2:00 p.m. This letter further states that the services of Party I are temporary until the course was over and Party I would be continued until students were available for her course. Party I in her cross examination has admitted the letter at Exb.E-2 but has stated that she did not accept the said letter. She has however stated that she knows the contents of the said letter. Reading of this letter further indicates that there is endorsement on it by Party I as “not accepted” and further endorsement by Party II as “new appointment is given as you do not possess certificate of embroidery and fashion designing”.

30. In the above context Shri Suhas Sardessai the witness of the Party II has made it clear in his affidavit in evidence that Party I was initially

appointed as a teacher with Party II for teaching cutting, stitching and embroidery work subject to the condition that she posses a certificate of embroidery and fashion designing which was a pre-requisite for the concerned post. He has further stated that as Party I did not posses the required qualification, she was given a break in service and was informed that her reappointment would be considered subject to fulfilling the employment conditions. He has also stated that by letter dated 11-2-2000 Party I requested to consider a fresh appointment in service, which was considered by Party II and Party I was offered a fresh appointment by appointment letter dated 11-2-2000.

31. It is worthwhile mentioning that though in her cross examination Party I has admitted of having sent letter dated 11-2-2000 (Exb.E-1) to the Principal of Party II, she has conveniently avoided to make mention of it in her claim statement or in her examination in chief. In case as stated in Exb. E-1 Party I had lost her appointment letter and for this reason she had requested to issue a new appointment letter, nothing had prevented Party I from stating so in her claim statement/chief examination. Even otherwise, if vide Exb.E-1 Party I required the copy of her appointment letter which according to her was lost, there was no reason for her to request for issuance of “new appointment letter”. The above action on the part of Party I leads me to draw adverse inference against Party I which is that as stated by Shri Suhas Sardessai, Party I was given break in service as she did not posses required qualification and subsequently she was offered fresh appointment vide Exb. E-2 and it is precisely for this reason Party I did not send reply to the letter dated 24-3-01 (Exb.W-7) because this letter was sent by making reference to the contents of the letter dated 11-2-00 (Exb.E-2).

32. Coming to the endorsement as “not accepted” on Exb.E-2, the documentary evidence produced by Party II in the cross examination of Party I and to which reference would be made below, makes it clear that despite such endorsement on Exb.E-2 dated 11-2-2000, Party I continued working with Party II. This is because Party I had admitted in her cross examination that she was signing the attendance card when she was reporting for work. She was shown the attendance register for the period from February 2000 to July 2000 (Exb.E-4 colly) and Party I has admitted that whenever she has reported for work she has signed this register and she has also identified her signature on this register. She has also identified her signature on the attendance register

for the period from August 2000 to January, 2001 (Exb. E-5 colly). Further she has identified her signatures on the wage registers for the period from January 2000 to February 2001 (Exb. E-6 colly) and has made it clear that her signatures were obtained by Party II after paying her the monthly salary. She has stated that the amount paid to her by the Party II every month is mentioned in Exb.E-6 colly and that from August 2000 it is mentioned below her name in the wage register as “cutting and tailoring”. From the above documentary evidence it could be safely gathered that though Party I endorsed on Exb. E2 as “not accepted” but despite it, she worked for Party II and this is apparently in terms of the contents of the appointment letter at Exb.E2. It can also be gathered from Exb.E2 that fresh appointment given to Party I vide Exb.E-2 dated 11-2-2001 was for cutting and tailoring and this is precisely because she did not posses the requisite certificate showing that she had completed the course in embroidery and fashion designing.

33. I have already highlighted above the contents of appointment letter dated 11-2-2000 (Exb. E-2) which make it clear that Party I was required to work on alternate days of the week. In her cross examination Party I has denied the suggestion that she has worked with Party II only on alternate days. However, in her further cross examination upon being shown the attendance register at Exb. E-4 colly, Party I has admitted that whenever she reported for work, she signed the register. It is otherwise not in dispute that Party I has signed on Exb.E-4 colly on alternate days. Thus, from the above statements made by Party I it stands established that Party I was working on alternate days and this is precisely because the appointment letter at Exb. E-2 stated so.

34. Exb. E-2 also states that Party I was appointed as part-time teacher on consolidated salary of Rs. 2000/-. In her cross examination Party I has stated that she was paid Rs. 2500/- as monthly salary. She has however admitted that she does not have any document to show that she was paid Rs. 2500/- as monthly salary. She has denied the suggestion that she was paid Rs. 2000/- as monthly salary. In her further cross examination Party I has admitted that in the wage register it is mentioned that she was paid Rs. 2000/- as monthly salary but according to her she was given Rs. 500/- extra in an envelope and that this extra amount does not figure in the wage register. She has also stated that she does not have proof to show that she was paid Rs. 500/- extra by Party II. From the nature of above evidence it stands established



beyond doubt that Party I was paid monthly salary of Rs. 2000/- which is in terms of the contents of Exb. E-2 and that the statement made by Party II that she was paid Rs. 2500/- per month cannot be believed for want of proof towards it.

35. In the written arguments ld. advocate for Party I contented that immediately after the termination of Party I, new batches of classes were started in the same course and this is evident from the evidence of Smt. Carmelina J. Mascarenhas as she was appointed as a teacher to teach tailoring and cutting, vide letter dated 5-2-01. It is also the argument of ld. advocate for Party I that Party II has not produced the educational qualification of Smt. Carmelina Mascarenhas and according to Party I this falsifies the case of Party II. It may be mentioned here that the above contention was not the grievance of Party I before the conciliation officer and this is apparent from the minutes of conciliation proceedings dated 4-7-02 (Exb. 21 colly). In these minutes it is mentioned that Party I had stated that her services have been illegally terminated and she was insisting on reinstatement with full back wages and continuity in service. Even the failure report dated 19-8-02 (Exb.21 colly) indicates that it was the case of Party I that she was employed as an instructor in cutting, stitching and embroidery on a salary of Rs. 2500/- per month by Party II and that the management by letter dated 1-2-02 terminated her services on the plea that the post in the technical area was over. It is further stated in this report that according to Party I the action of the management is illegal and unwarranted. It is therefore clear from above that it was never the grievance of Party I before the conciliation officer that after termination of her services new batches of classes were started by Party II in the same course and that this was evident from the appointment letter dated 5-2-01 of Smt. Carmelina J. Mascarenhas. This being the case it is now not open to Party I to agitate the above grievance before this court.

36. Even for that matter, perusal of evidence of Smt. Carmelina Mascarenhas reveals that she was appointed as a tailoring and cutting teacher by Party I by letter dated 5-2-01 and she has produced the copy of this letter at Exb. 22 colly. Reading of this letter makes it clear that Smt. Carmelina Mascarenhas was appointed as such on purely temporary basis and her contract was upto the end of the academic year i.e. April 2002. Smt. Carmelina has further stated that by letter dated 1-6-2003 she was once again appointed as a full time tailoring and fashion designing lecturer and she has produced the copy of this letter at Exb. 24. This letter also makes it clear that Smt. Carmelina Mascarenhas was appointed as such on purely

temporary basis and that her contract was up to the end of the said course. From the nature of above evidence, it becomes clear that the appointments given to the teachers therein were for a specific period till the course was over. Being so, Party I cannot take advantage of the fact that after termination of services of Party I, Party II appointed Smt. Carmelina Mascarenhas as teacher to teach tailoring and cutting by letter dated 5-2-01 to say that this falsifies the case of Party II.

37. It is also apparent from the failure report at Exb. 21 colly that after hectic efforts, a settlement was evolved under which Party I agreed to accept a monetary reasonable compensation but later Party I refused to sign the settlement. Failure report also indicates that management had submitted in writing that they had already paid compensation of Rs. 2000/- and therefore the question of reinstatement or reappointment does not arise. It may be mentioned that Shri Suhas Sardessai has produced copy of a letter dated 2-1-02 at Exb.19 addressed to Party I in which it is mentioned that with reference to letter dated 10-11-01 of Party I, Party II has enclosed a cheque of Rs. 2000/- as compensation for services of two years of Party I. The copy of this letter was also addressed to the Labour Officer for information. Party I did not cross examine Shri Suhas Sardessai on the subject matter of the letter at Exb.19 and, therefore there is every reason for me to hold that Party II offered the cheque for Rs. 2000/- towards compensation, as mentioned in this letter, to Party I.

38. Be that as it may, since it is the grievance of Party I that Party II did not issue notice before illegal termination of her service vide letter dated 11-2-2001 (Exb.W-6) and as such the act of Party II is in violation of Sec. 25F of the Act, it is seen that Sec. 25F prevents the employer from retrenching any workman employed in the industry who has been in continuous service for not less than one year under the employer. It cannot be disputed that the burden to prove 'continuous service' is on Party I. Evidence on record makes it clear that Party I has totally failed to discharge this burden and on the contrary Party II has succeeded in establishing that Party I was given break in service after her initial appointment as she did not possess required qualification and that she was thereafter given fresh appointment by letter dated 11-2-2000 (Exb.E-2) which services of Party I were part-time and temporary in nature and it was thereafter by letter dated 1-2-2001 (Exb. W-6), her services were terminated. This being the case, the question of Party II terminating the services of Party I in violation of Sec.25F of the Act does not arise and also such termination cannot be called as illegal and unjustified. Hence my findings.



39. *Issue No.6:* In view of discussion supra, Party I is not entitled to any relief.

40. In the result, I pass the following

#### ORDER

1. It is hereby held that Smt. Padmaja P. Gaonkar, Instructor, employed with M/s. Mustifund Saunsta, Panaji-Goa, is a “workman” within the meaning of Clause(s) of Section 2 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).
2. It is further hereby held that the action of the management of M/s. Mustifund Saunsta, Panaji in terminating services of Smt. Padmaja P. Gaonkar, Instructor, with effect from 01-02-2002, is legal and justified.

The workman/Party I is therefore not entitled.

Sd/-

(B. K. Thaly)  
Presiding Officer  
Industrial Tribunal-cum-  
-Labour Court

#### Certificate

No. 24/6/2010-LAB-ESI-III/587

Read: Government Order No. 24/6/2010-Lab-ESI-III/566 dated 30-09-2014.

Certified that the character and antecedents of Dr. Smruti Satish Gangodkar, Insurance Medical Officer, E.S.I. Scheme under office of the Commissioner of Labour and Employment, Panaji, appointed vide above referred Order has been verified by the District Magistrate, South Goa District, Margao and nothing adverse has come to the notice of the Government.

By order and in the name of the Governor of Goa.

*Shashank V. Thakur*, Under Secretary (Labour).  
Porvorim, 10th October, 2014.

State Directorate of Craftsmen Training

#### Order

Ref. No. 1/706/SDCT/EST/4354

Sanction of the Government is hereby conveyed for grant of 2 (two) years extension of Extraordinary leave without pay and allowances

for taking up employment in India or abroad to Shri Rajesh P. Lolayekar, Assistant Director (Training), Office of the State Director of Craftsmen Training, Shramashakti Bhavan, Panaji, with effect from 12-11-2014 to 11-11-2016 in terms of Government Notification No. 2/5/95-PER dated 2-1-2003.

The sanction of the leave is subject to and bound by all terms and conditions stipulated in Government Notification No. 2/5/95-PER dated 02-01-2003.

Shri Lolayekar, Assistant Director (Training) is informed that grant of any further extension will be subject to the Government's decision. Request for further extension of extraordinary leave should reach the Department at least 3 months in advance and the Government decision in this regard shall be communicated to him before expiry of sanctioned extraordinary leave.

The Department shall proceed against Shri Rajesh P. Lolayekar, A.D. (Trg.) if he fails to resume duty on expiry of the leave granted or after rejection of his application for extension, if any, is communicated to him.

By order and in the name of the Governor of Goa.

*Aleixo F. da Costa*, State Director & ex officio Joint Secretary (Craftsmen Training).

Panaji, 9th October, 2014.

Inspectorate of Factories & Boilers

#### Notice

No. IFB/BAE/2014

The Board of Examiners under the Boiler Attendant's Rules, 2011 declares the following candidates to have passed in the examination conducted on 23rd & 24th September, 2014 for Certificate of Competency of Boiler Attendants of class mentioned in Column 3 of the Schedule below against their respective names:

Sr. No.	Name of the Candidates	Examination
1	2	3
1.	Shri Tushar Harshanand Naik	Second Class Boiler Attendant.
2.	Shri Lav Anagadkar	Second Class Boiler Attendant.
3.	Shri Gajanan Shamba Sawal	Second Class Boiler Attendant.

1	2	3
4.	Shri Somshekharayya G. Hiremath	Second Class Boiler Attendant.
5.	Shri Vinayak Vaman Gadi	Second Class Boiler Attendant.
6.	Shri Yeshwant Jaiwant Kerkar	Second Class Boiler Attendant.
7.	Shri Chhagan Singh Malsingh Badole	Second Class Boiler Attendant.
8.	Shri Virendra Vitthal Redkar	Second Class Boiler Attendant.
9.	Shri Kandarpa Srikant Rajbongshi	Second Class Boiler Attendant.
10.	Shri Tushal Shivaji Pednekar	Second Class Boiler Attendant.
11.	Shri Prajot Pundalik Parab	Second Class Boiler Attendant.
12.	Shri Pandurang Shashikant Naik	Second Class Boiler Attendant.
13.	Shri Atmaram Bala Raul	Second Class Boiler Attendant.
14.	Shri Sadanand Maddhu Tari	Second Class Boiler Attendant.
15.	Shri Venkatesh Arjun Sawant	Second Class Boiler Attendant.
16.	Shri Gladwin Henrique Gonsalves	Second Class Boiler Attendant.
17.	Shri Gangaram Vithu Davane	Second Class Boiler Attendant.
18.	Shri Ulhas Tulshidas Mandrekar	Second Class Boiler Attendant.
19.	Shri Tony Peter Branganza	Second Class Boiler Attendant.
20.	Shri Sambhaji Pandurang Gaikwad	Second Class Boiler Attendant.
21.	Shri Mahadev Narayan Shetkar	Second Class Boiler Attendant.
22.	Shri Madhusudhan Vijay Thakur	Second Class Boiler Attendant.
23.	Shri Niranjana Shivram Savoikar	First Class Boiler Attendant.
24.	Shri Prashant Pandurang Parwar	First Class Boiler Attendant.
25.	Shri Dattaraj Bhagwant Naik	First Class Boiler Attendant.

1	2	3
26.	Shri Amit Mahadev Parab	First Class Boiler Attendant.
27.	Shri Sushant P. Gaude	First Class Boiler Attendant.
28.	Shri Dinesh Pandurang Kamble	First Class Boiler Attendant.
29.	Shri Suraj Rajaram Gawas	First Class Boiler Attendant.
30.	Shri Sandeep Pandurang Methe	First Class Boiler Attendant.
31.	Shri Bhausaheb Navnath Punekar	First Class Boiler Attendant.
32.	Shri Madhu Laxman Gawande	First Class Boiler Attendant.
33.	Shri Baliram Dinkar Jadhav	First Class Boiler Attendant.
34.	Shri Dhabali Kumar Rout	First Class Boiler Attendant.
35.	Shri Karu Tudu	First Class Boiler Attendant.
36.	Shri Jnanamaya Basu	First Class Boiler Attendant.

*R. T. Korgaonkar*, Secretary (Board of Examiners under The Boiler Attendants' Rules, 2011.  
Panaji, 13th October, 2014.



### Department of Official Language

Directorate of Official Language

#### Order

No. 5/24/2013/DOL/GKA/DPC/1170

The Government is pleased to reconstitute with immediate effect the Departmental Selection Committee/Departmental Promotion Committee in Goa Konkani Akademi as under:

- |   |   |           |
|---|---|-----------|
| 1. Secretary, Goa Konkani Akademi             | — | Chairman. |
| 2. Director, Directorate of Official Language | — | Member.   |
| 3. President, Goa Konkani Akademi             | — | Member.   |

This issues with the approval of the Government vide U. O. No. 9023/F dated 29-9-2014.

Dr. *Prakash Vazrikar*, Director & ex officio Joint Secretary (Official Language).

Panaji, 9th October, 2014.

## Department of Public Grievances

## Notification

No. 1/22/2013-14/DPG/GPGRAMS/III/1(4)

In exercise of the powers conferred by sub-sections (1) and (2) of Section 4 of the Goa (Right of Citizens to Time-Bound Delivery of Public Services) Act, 2013 (Goa Act 19 of 2013), read with Section 21 of the General Clauses Act, 1897 (Act 10 of 1897), the Government of Goa hereby amends the Government Notification No. 1/22/2013-14/DPG/GPGRAMS/III/1(2) dated 6-2-2014, published in the Official Gazette, Series II No. 45 dated 6-2-2014 (hereinafter referred to as the "principal Notification") as follows, namely:-

In the principal Notification, in the Schedule, in column (3), for the expressions "Mamlatdars of Talukas" and "Mamlatdar for Dharbandora Taluka, Joint Mamlatdar-I for all other Talukas", wherever they occur, the expression "Mamlatdars including Joint Mamlatdar of Talukas" shall be substituted.

By order and in the name of the Governor of Goa.

*Fransquinha Oliveira*, Under Secretary (Public Grievances).

Porvorim, 8th October, 2014.

## Department of Social Welfare

Directorate of Social Welfare

## Corrigendum

No. 82-6-07-08-SDB/Part-II/4552

Read: Order No. 82-6-07-08-SDB/Part-II/2121 dated 30-06-2014.

Order No. 82-6-07-08-SDB/Part-II/2122 dated 30-06-2014.

In the above mentioned Order the name at Sr. No. 10 may be read as "Govind G. Naik" instead of "Mahesh Naik" and in second Order the name at Sr. 1 may be read as "Rupesh Halankar" instead of "Rupesh Haldankar".

The other contents of the above mention Orders will remain the same.

*Meena Naik Goltekar*, Director (Social Welfare).

Panaji, 7th October, 2014.

## Department of Sports and Youth Affairs

Directorate of Sports and Youth Affairs

## Order

No. DSYA/Accts/DC-Bills/13-14/2729

Sanction of the Government is hereby conveyed for extension of two below mentioned retired Accounts Officers as Accounts Officers on contract basis in the Directorate of Sports & Youth Affairs for the further period of three months on monthly remuneration of Rs. 25,000/- each.

1. Shri Mohandas R. S. Nadkarni, Ex Dy. Director of Accounts.
2. Shri Ravindra Mardolkar, Ex Dy. Director of Accounts.

The extension is subject to their executing the agreement specifying the terms and conditions of their re-employment. The contract is for 3 months w.e.f. 13-10-2014 to 12-01-2015.

By order and in the name of the Governor of Goa.

*Y. B. Tavde*, Director & ex officio Addl. Secretary (Sports & Youth Affairs).

Panaji, 10th October, 2014.

## Department of Transport

Directorate of Transport

## Order

Ref. No. D. Tpt/EST/244 (Part)/2014/3607

Read: 1) Order No. D. Tpt/EST/244 (Part)/2013/3240 dated 30-08-2013.

2) Order No. D. Tpt/EST/244 (Part)/2014/1288 dated 15-04-2014.

Ex post facto approval of the Government is granted for the extension of the ad hoc promotion of Shri Laxmikant S. Kundaikar to the post of Deputy Director of Transport for a further period of six months w.e.f. 30-08-2014 to 01-03-2015 or till the post is filled on regular basis whichever is earlier.

This is issued with the approval of the Government and concurrence of Goa Public Service Commission conveyed vide letter No. COM/II/11/49(1)/2014/1687 dated 09-10-2014.

By order and in the name of the Governor of Goa.

*Arun L. Desai*, Director & ex officio Addl. Secretary (Transport).

Panaji, 14th October, 2014.

**Order**

Ref. No. D. Tpt/EST/285-III/2014/3608

Read: 1) Order No. D. Tpt/EST/285-II/2013/3241 dated 30-08-2013.

2) Order No. D. Tpt/EST/285-II/2014/1289 dated 15-04-2014.

Ex post facto approval of the Government is granted for the extension of the ad hoc promotion of Shri Rajesh alias Ramkrishna B. Naik to the post of Assistant Director of Transport for a further period of six months w.e.f. 30-08-2014 to 01-03-2015.

This is issued with the approval of the Government and concurrence of Goa Public Service Commission conveyed vide letter No. COM/II/11/49(2)/2014/1688 dated 09-10-2014.

By order and in the name of the Governor of Goa.

*Arun L. Desai*, Director & ex officio Addl. Secretary (Transport).

Panaji, 14th October, 2014.

**Notification**

No. 5/9/90-Tpt/2014/3622

In exercise of the powers conferred by Clause (xii) of sub-rule (1) of Rule 22 of the Goa, Daman and Diu Motor Vehicles Tax Rules, 1974, the Government of Goa hereby exempts New Vehicle Suzuki Swish Scooter bearing chassis No. MB8CF4CBFE8162515 and engine No. F4862580923 of model June, 2014 owned by Holy Family Society, Sancoale, P. O. Cortalim-Goa 403 710, from payment of tax due to this State, being a Charitable Institution.

By order and in the name of the Governor of Goa.

*Arun L. Desai*, Director & ex officio Addl. Secretary (Transport).

Panaji, 15th October, 2014.

**Notification**

No. 5/9/90-Tpt/2014/3623

In exercise of the powers conferred by Clause (xii) of sub-rule (1) of Rule 22 of the Goa, Daman and Diu Motor Vehicles Tax Rules, 1974, the Government of Goa hereby exempts New Vehicle Mahindra Xylo H4 HAWK CROE 7+1 STR bearing chassis No. MA1YA2MLXE2H16310 and Engine No. MLE4H20651 of model August, 2014 owned by Diocesan Family Service Centre, Steamer Jetty, D. B. Marg, Panaji-Goa, 403 001, from payment of tax due to this State, being a Charitable Institution.

By order and in the name of the Governor of Goa.

*Arun L. Desai*, Director & ex officio Addl. Secretary (Transport).

Panaji, 15th October, 2014.

**Notification**

No. 5/5/90-Tpt/2014/3624

In exercise of the powers conferred by Clause (xii) of sub-rule (1) of Rule 22 of the Goa, Daman and Diu Motor Vehicles Tax Rules, 1974, the Government of Goa hereby exempts New Vehicle Mercedes Benz B 180 CDI bearing chassis No. WDD24620721276629\*0614 and engine No. 65193032300606 of model June, 2014 owned by Domnic & Jo-an Ministries, H. No. 315/4, Tropa Vaddo, Sodiem, Siolim, Bardez-Goa, from payment of tax due to this State, being a Charitable Trust.

*Arun L. Desai*, Director & ex officio Addl. Secretary (Transport).

Panaji, 15th October, 2014.

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